

A district court reviewing a magistrate judge’s report and recommendation “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). The district court “may adopt those portions of the report to

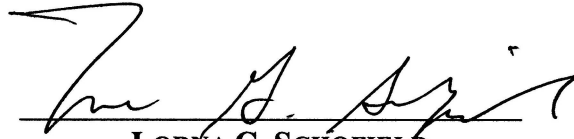
which no specific, written objection is made, as long as the factual and legal bases supporting the findings and conclusions set forth in those sections are not clearly erroneous or contrary to law.”

Adams v. New York State Dep’t of Educ., 855 F. Supp. 2d 205, 206 (S.D.N.Y. 2012) (internal quotation marks omitted) (citing Fed. R. Civ. P. 72(b); *Thomas v. Arn*, 474 U.S. 140, 149 (1985)).

The factual and legal bases underlying the Report are not clearly erroneous or contrary to law. Accordingly, the Report is ADOPTED in its entirety as the decision of the Court. Plaintiff’s motion is GRANTED, Defendant’s cross-motion is DENIED, the Decision is VACATED and the case is remanded to the SSA for further proceedings consistent with this Opinion. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: January 26, 2015
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE